



PATENT
Docket No. 226272003310

SUBSTITUTE DECLARATION FOR UTILITY PATENT APPLICATION

AS BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:

Our residences, post office addresses, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARATIONS OF RELEASED RECOMBINANT AAV VECTORS, the specification of which is attached hereto unless the following box is checked:

was filed on October 30, 2001 as United States Application Serial No. 10/016,767.

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/084,193	September 5, 1997
60/071,733	January 16, 1998
60/123,685	March 10, 1999

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior

United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
PCT/US99/20524	September 7, 1999	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
PCT/US98/18600	September 4, 1998	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
09/142,474	September 4, 1998	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date _____

Name: Edward M. ATKINSON
 Residence: Seattle, Washington
 Citizenship: United States of America
 Post Office Address: 4827 41st Avenue, SW, Seattle, Washington 98116

Date _____

Name: Ian L. ARANHA
 Residence: Seattle, Washington
 Citizenship: India
 Post Office Address: 19408 35th Avenue, NE, Seattle, Washington 98155

Date _____

Name: Victor P. FUNG
 Residence: Redmond, Washington
 Citizenship: United States of America
 Post Office Address: 23261 NE 17th, Redmond, Washington 98053

4/22/04
 Date _____

Name: Perry C. WILKINS
 Residence: Preston, Washington
 Citizenship: United States of America
 Post Office Address: 6917 Preston Fall City Road, Preston, Washington 98027

5/6/04
 Date _____

Name: Ryan K. TAKEYA
 Residence: ~~Lynnwood~~ Preston, Washington
 Citizenship: ~~USA~~ United States of America
 Post Office Address: 20902 53rd Avenue, West, Preston, Washington 98036

Lynnwood
5/6/04

Date

Name: Thomas C. REYNOLDS
Residence: Mercer Island, Washington
Citizenship: United States of America
Post Office Address: 4204 93rd Avenue, SE, Mercer Island, Washington 98040



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5/7/04

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Residence: Seattle, Washington
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Post Office Address: 4827 41st Avenue, SW, Seattle, Washington 98116

Date

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4/22/04
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Name: Perry C. WILKINS
Residence: Preston, Washington
Citizenship: United States of America
Post Office Address: 6917 Preston Fall City Road, Preston, Washington 98027

5/6/04
Date

Name: Ryoko K. TAKEYA
Residence: Preston, Washington
Citizenship: United States of America
Post Office Address: 20902 53rd Avenue, West, Preston, Washington 98036

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Date	Name: Thomas C. REYNOLDS
	Residence: Mercer Island, Washington
	Citizenship: United States of America
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Docket No. 226272003310

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FAX NO. 2065214782

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 Citizenship: United States of America
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 Residence: Preston, Washington
 Citizenship: United States of America
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FAX NO. 2065214782

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Date	<p>Name: Edward M. ATKINSON Residence: Seattle, Washington Citizenship: United States of America Post Office Address: 4827 41st Avenue, SW, Seattle, Washington 98116</p> <p><i>Jan 12/04</i></p>
Date	<p>Name: Ian L. ARANHA Residence: Seattle, Washington Citizenship: India Post Office Address: 19408 35th Avenue, NE, Seattle, Washington 98155 <i>Jan 12/04</i> 125 NW 132nd STREET, SEATTLE, WA 98177</p> <p><i>Jan 5/12</i></p>
Date	<p>Name: Victor P. FUNG Residence: Redmond, Washington Citizenship: United States of America Post Office Address: 23261 NE 17th, Redmond, Washington 98053</p> <p><i>PVC 4/22/04</i></p>
Date	<p>Name: Perry C. WILKINS Residence: Preston, Washington Citizenship: United States of America Post Office Address: 6917 Preston Fall City Road, Preston, Washington 98027</p> <p><i>Perry C. Wilkins 5/6/04</i></p>
Date	<p>Name: Ryan K. TAKEYA Residence: Preston Preston, Washington Citizenship: USA United States of America Post Office Address: 20902 53rd Avenue, West, Preston, Washington 98036</p> <p><i>Ryan K. Takeya 5/6/04</i></p>

Docket No. 226272003310

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Date

Name: Thomas C. REYNOLDS
Residence: Mercer Island, Washington
Citizenship: United States of America
Post Office Address: 4204 93rd Avenue, SE, Mercer Island, Washington 98040



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Edward M. ATKINSON et al.

Serial No.: 10/016,767

Filing Date: October 30, 2001

For: METHODS FOR GENERATING HIGH
TITER HELPER-FREE PREPARATIONS
OF RELEASED RECOMBINANT AAV
VECTORS

Examiner: M. Hill

Group Art Unit: 1648

ASSOCIATE POWER OF ATTORNEY

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

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Shantanu Basu (Reg No. 43,318)
Jonathan Bockman (Reg No. 45,640)
Barry E. Bretschneider (Reg No. 28,055)
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Alex Chartove (Reg No. 31,942)
Matthew M. D'Amore (Reg No. 42,457)
Peter Davis (Reg No. 36,119)
David Devernoe (Reg No. 50,128)
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Gregory P. Einhorn (Reg No. 38,440)
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Bruce D. Grant (Reg No. 47,608)
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Todd W. Wight (Reg No. 45,218)
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Katherine D. Lee (Reg. No. 44,865)
Hugh H. Matsubayashi (Reg No. 43,77)
Robert S. McArthur (Reg No. 45,674)
Scott C. Moore (Reg No. 52,047)
James J. Mullen (Reg No. 44,957)
Martin M. Noonan (Reg No. 44,264)
Philip Reilly (Reg No. 41,415)
Julia R. Rosenthal (Reg No. 54,410)
Robert E. Scheid (Reg No. 42,126)
Rebecca Shortle (Reg No. 47,083)
John W. Tessman (Reg No. 43,949)
Emily C. Tongco (Reg No. 46,473)
Brenda J. Wallach (Reg No. 45,193)
E. Thomas Wheelock (Reg No. 28,825)
Eric Witt (Reg No. 44,408)
Frank Wu (Reg No. 41,386)
Janet Xiao (Reg No. 55,748)
Peter J. Yim (Reg No. 44,417)
Jie Zhou (Reg No. 52,395)

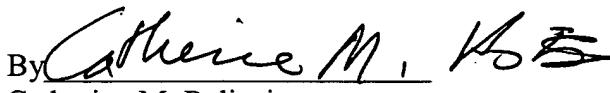
whose address is Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018 , as my associates in the above-identified patent application to inspect the file, to prepare and file amendments, to inspect and make copies thereof and of any papers in any appellate or *inter partes* proceedings in which the application may be or become involved, and generally to conduct all business in the United States Patent and Trademark Office relating to the prosecution of the application or any application that claims priority from this application provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Please continue to direct all communications to:

Catherine M. Polizzi
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304

Dated: June 10, 2004

Respectfully submitted,

By 
Catherine M. Polizzi

Registration No.: 40,130
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304
(650) 813-5651



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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Edward M. ATKINSON et al.Application No./Patent No.: 10/016,767 Filed/Issue Date: October 30, 2001METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARATIONS OF RELEASED
Entitled: RECOMBINANT AAV VECTORSTargeted Genetics Corporation, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011417, Frame 0787, or for which a copy thereof is attached.**OR**B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7/24/04

Date

Barrie J Carter

Typed or printed name

206-623-7612

Telephone Number

Signature

EV, CSU

Title



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Edward M. ATKINSON et al.

Application No./Patent No.: 10/016,767 Filed/Issue Date: October 30, 2001

Entitled: METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARATIONS OF RELEASED RECOMBINANT AAV VECTORS

Targeted Genetics Corporation, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

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OR

B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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206 623 7612

Date

5/25/04

Telephone Number

Barrie J Carter EVP, CSO

Typed or printed name

Signature

EVP, CSO

Title